

Remarks

Claims 1 and 3-23 are pending.

Claims 1, 3-5, 7, 8, 11, 19 and 22 are amended.

Claims 12, 16, 17 and 20 are original.

Claims 6, 9, 10, 13-15, 18, 21 and 23 are as previously presented.

Claim 1 is amended to delete formula I and insert in its stead the formulae Ia, Ib, Ic, Id and 1e from original claim 3. as a result, reference to variables $-L_1(Q^+X')$ and $-L_2(Q^+X')$ immediately following the definition of Q_2 is deleted and the remainder of that line is adjusted to replace the word "are" with "is". The limitations for variable Q1 and the various T groups from claim 3 are also inserted into claim 1 immediately following the definition of description of $-L_3(Q^+X')$.

Claim 1 is further amended to delete as redundant "Y is O, or NR₉" in the line immediately prior to the definition of Q2 and in the line and in the third line following the structure for variable K3, and in the same line delete "0 to 8" as the definition for s and replace it with "0-4". Claim 1 is further amended in the final line to delete the variable "p" and to change the number 1 to 10.

Support is inherent in previously presented claims 1 and 3, and original claim 1 for the changing of the value for q and r from 0 to 1 back to 0 to 10.

Claim 3 is amended to delete all material following the first line as redundant given the amendments to claim 1. Applicants point out that there is a minor difference in claim 3 now compared to its previous version as the definition of K1 and K2 now also includes the value C₁-C₁₈alkyl. Support is found in original claim 2 and page 7 paragraph 6 of the specification.

Claims 4 and 8 are also amended to include the value C₁-C₁₈alkyl in the definition of K1 and K2. Support is as for claim 3.

Claims 5 and 7 are amended to be independent claims by deleting from line 1 the phrase "according to claim 1" and by incorporating from claim 1 the limitations for variables R5, R6, R7, R9 and X'. Claim 7 is further amended to include the value C₁-C₁₈alkyl in the definition of K1 and K2 as in claims 3, 4 and 8.

Claim 11 is amended to include certain material deleted by the amendments to claim 1, that is the compounds of claims 5 and 7, by moving the phrase "a compound according to claim 1" from near the beginning of line 5 to the end of line 6, by inserting the word "or" immediately after the phrase and by inserting the limitations for the compounds of claims 5 and 7 immediately after that. Support is inherent in the original claims.

Claim 19 is amended to delete the word "obtainable" and replace it with "obtained". Claim 22 is amended to delete the phrase "of formula I or II".

No new matter is added.

Rejections/Objections

Claims 1 and 3-23 are rejected under 35 USC 112 first paragraph for lack of support for changing the value of variables p, q and r from 0 into 10 to 0 to 1. Applicants respectfully submit that the above amendments to the last line of claim 1, wherein the value is returned to 0 to 10, address and overcome the rejections and kindly ask that the 35 USC 112 first paragraph rejections be withdrawn.

Claims 1, 11-15 and 17-23 are rejected under 35 USC 103(a) as being obvious over Giannelis et.al., J. Am Chem. Soc., 1999, 1615-1615 in view of Mura, Macromolecules, 1999, page 8356-8362.

Applicants respectfully traverse the rejections.

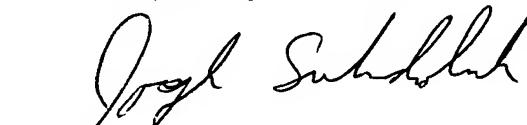
The Action states that claims 3-10 are objected to but would be allowable if rewritten as independent claims. Applicants submit that incorporating the limitations of claim 3 into claim 1 essentially accomplishes the same purpose as the rejections of Giannelis in view of Mura are directed to a compound of the now deleted formula I. Claims 5 and 7 are amended to be independent claims as the more limited claim 1 no longer encompasses these compounds.

In light of the amendments and discussion above, Applicants respectfully submit that the rejections of claims 1 and 3-10 are addressed and are overcome and kindly ask that the rejections be withdrawn and claims 1 and 3-10 be found allowable.

Applicants further respectfully point out that in light of the amendments to claim 1 and 11, the processes and compositions of claims 11-15 and 17-23 now are limited to the novel compounds of claims 1, 5 and 7. Applicants therefore kindly ask that these claims, along with claim 16, also be found allowable.

Applicants respectfully submit that all objections and rejections are addressed and are overcome and kindly ask that they be withdrawn and claims 1 and 3-23 found allowable. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,



Joseph C. Suhadolnik
Agent for Applicants
Reg. No. 56,880
filed under 37 CFR 1.34(a)

Ciba Specialty Chemicals Corporation
Patent Department
540 White Plains Road
P.O. Box 2005
Tarrytown, NY 10591-9005
Tel. (914) 785-2973
Fax (914) 785-7102